

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

**FILED**

UNITED STATES DISTRICT COURT

for the

NOV 22 2023

District of \_\_\_\_\_

Division \_\_\_\_\_

CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_  
DEPUTY CLERK

Pastor Isabel Vela

Case No.

1:23-cv-01638-JLT-BAM  
(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

The State Bar of California, &  
Emerly Cruz

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Pastor Isabel Vela
Street Address	255 North Fulton Stret #109
City and County	Fresno, County of Fresno
State and Zip Code	California 93701
Telephone Number	
E-mail Address	alpha_omegapi@proton.me

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	<u>The State Bar of California</u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u>845 South Sigueroa Street</u>
City and County	<u>Los Angeles, County of Los Angeles</u>
State and Zip Code	<u>California, 90017</u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. 2

Name	<u>Emerly Cruz</u>
Job or Title <i>(if known)</i>	<u>Investigator I</u>
Street Address	<u>845 South Figueroa Street</u>
City and County	<u>Los Angeles, County of Los Angeles</u>
State and Zip Code	<u>California, 90017</u>
Telephone Number	<u>(213) 765-1613</u>
E-mail Address <i>(if known)</i>	<u>emerly.cruz.ca.gov</u>

Defendant No. 3

Name	<u></u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. 4

Name	<u></u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

1st Amendment, 9th Amendment, 14th Amendment, 22 U.S. Code 6401, Free Exercise Clause

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

## 1. The Plaintiff(s)

## a. If the plaintiff is an individual

The plaintiff, (name) Paster Isabel Vela, is a citizen of the  
State of (name) California.

## b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

## 2. The Defendant(s)

## a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

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b. If the defendant is a corporation

The defendant, (name) The State Bar of California, is incorporated under the laws of the State of (name) California, and has its principal place of business in the State of (name) California.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) California.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?  
State of California

B. What date and approximate time did the events giving rise to your claim(s) occur?  
Approximately in the month of August I was forwarded a letter from the State Bar restricting me from the exercise of my religious freedom, 1st Amendment, 9th Amendment and 14th Amendment

## VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/22/2023

Signature of Plaintiff

Printed Name of Plaintiff

  
Pastor Isabel Vela

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)
- Approximatli in the month of August I was forwarded a letter from the State Bar restricting me from my Pastoral Duties. The Seperation of Church and State allows me to freely counsel as a Pastor IN ANY capacity duly called upon by my Lord Jesus and Father God WITHOUT the infringement of the State. 1st Amendment: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; 9th Amendent: The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people. 14th amendment: No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. Free Exercise Clause: Free exercise is the liberty of persons to reach, hold, practice and change beliefs freely according to the dictates of conscience. The Free Exercise Clause prohibits government interference with religious belief and, within limits, religious practice.[2] To accept any creed or the practice of any form of worship cannot be compelled by laws. as stated by the Supreme Court in Braunfeld v. Brown, the freedom to hold religious beliefs and opinions is absolute

#### IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

The doubt or trust breech from Pastor to Constiguent.  
Mental and Emotional Duress  
Sweat Equity in Enforcing the Rights the defendants are under Oath to Protect.  
Mental and emotinal duress my families endure as the State interferes with our rights.

*Such Compensation can not be measured*

#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Monetary and Injuctive relief as allotted by law. By these violations they have hindered the trust between Pastor and Families supressing our right to counsel, advocate and protect as stated in the Bible. Mental and emotional duress. Supression of Freedom of Speech. By not allowing our Freedom of Religion and Exercie Clause our families have been left in a moment of further duress, confusion and menal harm.

Sweat Equity in bringing this matter forward. Extra counseling and research needed to exercise our rights. Travel. Cost of and for assistance in proceeding with this matter.  
Ability to Amend as needed with cost that are aquired to proceed.

- ~~Free~~ From The Governments interference in Exercising our Rights.
  - Right to Counsel, guide, mentor, Advocate and be the Voice for the Voiceless and those under duress <sup>Represent</sup>
  - Right to be a Church Attorney not a State Attorney.
  - Right to have our <sup>Church</sup> Jurisdiction a matters involving Church People Kept with the Church not with the State. (As ~~Native American~~ Tribes)
  - Right to Seperation of Church & State without state limitations.
- (See Attached)

## **ATTACHMENT TO PAGE 5 of 6**

### **V. Relief Continues**

#### **Right to take abide, dwell, and live by Mark 12:17**

Then Jesus said to the, "GIVE BACK to Caesar what is Caesar's and to GOD what is GOD's."

#### **Right to abide by Proverbs 31 8:9 without Governmental and state interference:**

Speak out on behalf of the voiceless, and for the rights of all who are vulnerable. Speak out in order to judge with righteousness and to defend the needy and the poor.

#### **Right to Abide by James 1:27 without Governmental and State interference.**

Religion that is pure and undefiled before God the Father, is this: to visit orphans and widows in their affliction, and to keep oneself unstained from the world.

#### **Right to Abide by 1 Peter 3:15**

Always be ready to give a defense to anyone who asks you for a reason for the hope that is in you.

#### **Right to Abide by Acts 5:29**

But Peter and the Apostles answered, "We must obey God rather than men."

#### **Right to abide and live by 1 Corinthians 6:1-6**

Dare any of you, having a matter against another, go to law before the unjust, and not before the saints?<sup>2</sup> Do ye not know that the saints shall judge the world? and if the world shall be judged by you, are ye unworthy to judge the smallest matters?<sup>3</sup> Know ye not that we shall judge angels? how much more things that pertain to this life?<sup>4</sup> If then ye have judgments of things pertaining to this life, set them to judge who are least esteemed in the church.<sup>5</sup> I speak to your shame. Is it so, that there is not a wise man among you? no, not one that shall be able to judge between his brethren?<sup>6</sup> But brother goeth to law with brother, and that before the unbelievers.

#### **Right to abide and live by Isaiah 1:17**

Learn to do good; seek justice, correct oppression; bring justice to the fatherless, plead the widow's cause.